

Congressman Nadler Introduces Rape Kit DNA Analysis Backlog Elimination Act

Tuesday, 12 March 2002

WASHINGTON -- Calling the situation regarding rapists at large "urgent," Rep. Jerrold Nadler (D-NY) today announced introduction of the Rape Kit DNA Analysis Backlog Elimination Act, which would provide \$250 million in funding to eliminate the backlog of rape kits that have not been analyzed by police departments nationwide. The announcement was made at a Capitol Hill press conference, where the Congressman was joined by Kim Gandy, President of the National Organization for Women and Scott Berkowitz of the Rape, Abuse and Incest National Network.

"This is a serious effort to combat crime, locate and apprehend rapists, and use powerful evidence to put them behind bars," said Rep. Nadler. "Unlike the sound bite crime legislation that so many Members of Congress seem to advocate these days, this bill will actually make a difference."

"NOW's local activists report that in many jurisdictions the victim must pay for the processing of the 'rape kit' evidence - an absurdly unfair proposition," said Kim Gandy. "Is there any other assault in which survivors are required to pay the cost of investigating the crimes against them?"

"Just as resources such as the National Sexual Assault Hotline (800/656-HOPE) are critical to help victims heal after an assault, resources such as DNA evidence are critical to help ensure that violent criminals are identified, prosecuted and taken off the streets," said Scott Berkowitz, president of RAINN. "Congressman Nadler is to be commended for his work to assure that police have the tools to put rapists behind bars."

A recent news story by ABC's 20/20 reported that hundreds of thousands of rape kits sit unprocessed in police storage units across the country. There could be up to 500,000 kits that remain untested. Former New York City Police Commissioner Howard Safir admitted that he found 16,000 unanalyzed rape kits alone in the New York City Police Department's storage facility. Apparently, the biggest obstacle to getting these tests done is the cost - no more than \$500 per test.

"This is totally unacceptable," said Rep. Nadler. "It is time for Congress to lend a hand to our law enforcement officers and provide them with the funds needed to solve these crimes and to put rapists behind bars."

Rape kits contain crucial DNA information about a perpetrator, and are essential in catching rapists with a prior record, and catching those who might rape again. Rep. Nadler's bill provides for the analysis of 500,000 rape kits.

Rep. Nadler's statement is below.

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STATEMENT BY REP. JERROLD NADLER ON

THE INTRODUCTION OF THE RAPE KIT

DNA ANALYSIS BACKLOG ELIMINATION ACT

March 13, 2002

We are here today to announce the introduction of the Rape Kit DNA Analysis Backlog Elimination Act. This bill would add "rape kits" to the DNA Analysis Backlog Elimination statute and increase its authorization level from \$25 million to \$150 million in 2003 and from \$25 million to \$100 million in 2004. Our goal, and the stated purpose of this bill, is to ensure that the backlog of unanalyzed rape kits is eliminated. There is no excuse for anything less.

Every 2 minutes, somewhere in America, someone is sexually assaulted. The Department of Justice reports that in the year 2000, there were an estimated 261,000 rapes and sexual assaults. The gravity and seriousness of this problem cannot be overstated. We are committed to doing everything we can to reduce rape and sexual assaults and we fully support the Violence Against Women Act and other efforts to aid victims and fight crime. Today, we are announcing our latest initiative to address rape and sexual assault. This is a serious effort to combat crime, locate and apprehend rapists, and use powerful evidence to put them behind bars. Unlike the sound bite crime legislation that so many Members of Congress seem to advocate these days, this bill will actually make a difference.

We all know that DNA evidence is essential to solving crimes. It can lead to punishment of the guilty and the freeing of the innocent. We must commit the necessary resources now to empower law enforcement to analyze all of the DNA evidence they collect, so that they can solve cases and bring justice to American families. Apparently, they have been unable to analyze DNA evidence due to a lack of funds. That means that DNA evidence from rape kits is going untested and crimes are going unsolved. That is simply unacceptable.

A recent news story by ABC's 20/20 reports in far more dramatic fashion than we can here today, that hundreds of thousands of rape kits sit unprocessed in police storage units across the country. There could be up to 500,000 kits that remain untested. Former New York City Police Commissioner Howard Safir admits he found 16,000 unanalyzed rape kits alone in the New York City Police Department's storage facility. Apparently, the biggest obstacle to getting these tests done is the cost. In fact, 20/20 paid a police department to test certain samples. Solving crimes is too important to leave to TV news. Members of Congress and the federal government must commit the necessary resources to solve crimes. It is time for Congress to authorize the needed level of funding to eliminate the DNA backlog.

Let's lend a hand to our law enforcement officers and provide them with the funds needed to solve these crimes and to put rapists behind bars.

Today is just one day in our battle to address this issue. I am confident that many Members of Congress, from both sides of the aisle, will work with me to increase the authorization level for these programs. I look forward to building a coalition of supporters, working with the Judiciary Committee, and the Appropriations Committee, and if necessary offering amendments on the floor of the House to make sure these programs get funded.

Today, marks an important stage in what could be a year-long struggle to secure this funding. Just two weeks ago, I led an effort to increase the funding for DNA Backlog Elimination program in the House Judiciary Committee. The Republican Chair of the Judiciary Committee accepted an amendment to the Budget Views and Estimates which specifically stated that the Committee "is committed to ensuring that all necessary resources are allocated to this

program to fully eliminate the backlog of DNA samples.” I will once again ask them to honor their commitment by passing this bill as quickly as possible.

I will personally ask for the support of every Member of the Judiciary Committee in the next several weeks, and I understand that grassroots organizations from around the country will alert their members to this bill. We hope to generate hundreds of letters and phone calls urging Members of Congress to support this measure. I am excited about our efforts, and optimistic about our chances.

I hope the next press conference we have on this topic, is to celebrate our victory.

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